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Attorney for Defendant
SHAUN ANDERSON

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:17-cr-00363-APG-EJY
)	
Plaintiff,)	
)	STIPULATION AND ORDER TO
v.)	CONTINUE SENTENCING
)	
SHAUN ANDERSON,)	
)	(3 rd Request)
Defendant.)	

IT IS HEREBY STIPULATED by and between SHAUN ANDERSON, Defendant, by and through counsel EMILY K. STRAND, ESQ., and the United States of America, by and through, SIMON KUNG, Assistant United States Attorney, that the sentencing in the above-captioned matter currently scheduled for January 20, 2021, be continued ninety (90) days, or to a date and time to be set by this Honorable Court.

This Stipulation is entered into for the following reasons:

1. Counsel for the defendant was only appointed to the case on January 5, 2021.
2. Counsel for defendant has not yet had the opportunity to meet to the defendant, however she did have an associate meet with the defendant and he has no objection to the continuance.
3. Counsel has spoken to Assistant United States Attorney Simon Kung and he has no opposition to the continuance.

4. This is a complex fraud case with thousands of pages of discovery and counsel has yet to receive any of it, let alone review it all.
5. Counsel for Defendant needs additional time to adequately prepare for sentencing and/or to file a motion to withdraw a guilty plea.
6. Denial for this request for continuance would deny the counsel the time and the opportunity to effectively and thoroughly research and prepare for sentencing in this case, taking into account the exercise of due diligence.
7. Additionally, denial of this request for continuance would result in a miscarriage of justice.
8. For all the above-stated reasons, the ends of justice would best be served by a continuance of the trial date.
9. This is the 3rd request for a continuance of the sentencing date in this case.

DATED this 13th day of January 2021.

Respectfully submitted,

PITARO & FUMO, CHTD.

NICHOLAS TRUTANICH
UNITED STATES ATTORNEY

/s/ Emily K. Strand
EMILY K. STRAND, ESQ.
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ATTORNEY FOR DEFENDANT
SHAUN ANDERSON

/s/ Simon Kung
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ASSISTANT UNITED STATES ATTORNEY
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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Counsel for the defendant was only appointed to the case on January 5, 2021.
2. Counsel for defendant has not yet had the opportunity to meet to the defendant, however she did have an associate meet with the defendant and he has no objection to the continuance.
3. Counsel has spoken to Assistant United States Attorney Simon Kung and he has no opposition to the continuance.
4. This is a complex fraud case with thousands of pages of discovery and counsel has yet to receive any of it, let alone review it all.

- 1 5. Counsel for Defendant needs additional time to adequately prepare for sentencing
- 2 and/or to file a motion to withdraw a guilty plea.
- 3 6. Denial for this request for continuance would deny the counsel the time and the
- 4 opportunity to effectively and thoroughly research and prepare for sentencing in this
- 5 case, taking into account the exercise of due diligence.
- 6
- 7 7. Additionally, denial of this request for continuance would result in a miscarriage of
- 8 justice.
- 9
- 10 8. For all the above-stated reasons, the ends of justice would best be served by a
- 11 continuance of the trial date.
- 12
- 13 9. This is the 3rd request for a continuance of the sentencing date in this case.
- 14

14 CONCLUSIONS OF LAW

15 The end of justice served by granting said continuance outweigh the best interest of the
16 public and defendants in a speedy trial since the failure to grant said continuance would likely
17 result in a miscarriage of justice, would deny the parties herein sufficient time and the
18 opportunity within which to be able to effectively and thoroughly prepare for sentencing taking
19 into account the exercise of due diligence.

20 ORDER

21 **IT IS ORDERED** that sentencing currently scheduled for January 20, 2021 be vacated
22 and continued to the 21st day of April, 2021, at the hour of 1:00 p.m. in Courtroom 6C.

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24
25 DATED this 15th of January, 2021.

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27 
28 _____
U.S. DISTRICT JUDGE